

Allroth. The Examiner alleges that it would be obvious to use the lubricant of Ozaki in the process of Hill and that it would be further obvious to use the high velocity compaction method of Allroth to obtain a final sintered product approaching 100% theoretical density.

The Examiner has not responded to the point made in the previous Amendment, i.e. that Hill does not describe or teach mixing (1) a metal powder (2) a lubricant and (3) at least one liquid phase former to form a mixture. Also, the Examiner has not responded to the point made in the previous Amendment that Hill teaches that if a lubricant is used in the mixture, it is removed before subjecting the compact to a heating step.

If the Hill process were modified as alleged by the Examiner to use the lubricant of Ozaki, this lubricant would be removed before subjecting the compact to a heating step. Accordingly, even if the Hill process were modified to use a high velocity compaction, the resulting process would not result in the claimed process that requires the lubricant to be present during sintering.

There is no teaching in any of Hill, Ozaki and Allroth of "sintering the compressed mixture at a sintering temperature sufficient to evaporate and drive off said lubricant and to effect a liquid phase sintering of said liquid phase former. . . ." Simply stated, according to Hill, there would be no lubricant to be evaporated and driven off.

In view of the above, a rejection of claim 1 as being unpatentable over Hill in view of Ozaki and Allroth is not warranted pursuant to the provisions of 35 USC 103.

Claim 1 has also been rejected as being unpatentable over Hill in view of Luk in view of Allroth. The Examiner alleges that it would be obvious to modify the Hill process

with the lubricant of Luk and that it would be further obvious to use the high velocity compaction method of Allroth.

As noted above, Hill does not describe or teach mixing the three specified ingredients. Also, Hill teaches that if a lubricant is used, it is removed before subjecting the compact to a heating step. Thus, any modification of Hill with the lubricant of Luk would simply result in the removal of the Luk lubricant before heating.

Accordingly, for reasons as expressed above, a rejection of claim 1 as being unpatentable over Luk in view of Hill and Allroth is not warranted pursuant to the provisions of 35 USC 103.

Claims 2 to 10 depend from claim 1 and are believed to be allowable for similar reasons.

Claim 1 has also been rejected as being unpatentable over Hill in view of Ozaki. However, in view of the lack of any teaching in Hill of mixing three ingredients and the expressed teaching of removing the lubricant before subjecting the compact to a heating step, a rejection of claim 1 as being unpatentable over Hill in view of Ozaki is not warranted.

Claim 1 has also been rejected as being unpatentable over Hill in view of Luk. However, for reasons as expressed above, this rejection is not warranted pursuant to the provisions of 35 USC 103.

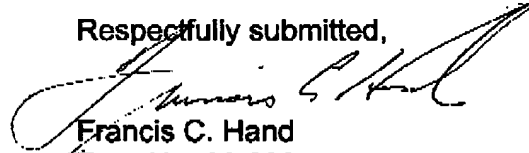
Note is made that Luk uses an external lubricant. This was noted in the previous Amendment but not acknowledged in the present Office Action.

Note is made that claim 11 has been withdrawn from prosecution pursuant to a restriction requirement. However, since claim 11 is a product by process claim and

depends from claim 1, it is respectfully submitted that claim 11 is properly grouped with claims 1 to 10 and should be allowed in this application.

The application is believed to be in condition for allowance and such is respectfully requested.

Respectfully submitted,



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